

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3378-01
Bill No.: HB-1286
Subject: Water Districts: Formation
Type: Original
Date: January 28, 2002

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2003	FY 2004	FY 2005
Local Government	Unknown	Unknown	Unknown

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Natural Resources** stated there would be no direct fiscal impact to their department.

Officials of the **Office of State Courts Administrator** stated there would be no fiscal impact on the State's Courts.

Oversight assumes this proposal amends the law that controls water district formation and would have no state fiscal impact. The proposal changes the number of publications required when a petition has been filed, and a hearing has been set. Oversight assumes there would be some savings to the district, from publication cost, provided the district is formed. Whenever 2/3 of the owners of record of at least 2/3 by area of all real property located within the proposed district sign a petition of formation, the Court may incorporate the district and no election is held. Oversight assumes there would be some election costs savings from this procedural change. All savings to the district is unknown.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	\$0	\$0	\$0
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005

LOCAL GOVERNMENTS

**Savings to Certain Water Districts
from incorporation changes ***

Unknown

Unknown

Unknown

*** Any savings to water districts would depend on whether they are incorporated or not. If they are not incorporated the costs of incorporation is assessed to the petitioners.**

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

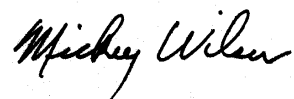
This bill allows the petition for the formation of a public water supply district to become final and conclusive if the circuit court determines that the petition has been signed by at least two-thirds of the property owners within the boundaries of the proposed district. Under current law, the petition must have voter approval before becoming final and conclusive.

The bill also requires the petition publication notice to be published for three weeks in a weekly or daily newspaper. As an alternative to newspaper publication, the notice of the filing of the petition may be given by certified mail to all property owners within the proposed boundaries of the district. Under current law, the notice must be published for three weeks in a weekly paper or in 20 successive issues of a daily newspaper.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Natural Resources
Office of State Courts Administrator



Mickey Wilson, CPA
Acting Director
January 28, 2002